



THE CITY OF NEW YORK
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February 18, 2025

VIA ECF

Honorable Henry J. Ricardo
United States Magistrate Judge
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

MEMO ENDORSEMENT

Defendants' request for an extension of time to serve their Local Civil Rule 33.2 discovery responses is GRANTED. Defendants' Local Civil Rule 33.2 discovery responses shall be served within 30 days after a decision on Defendants' motion to dismiss the operative complaint.

SO ORDERED.

Dated: February 19, 2025
New York, New York

Henry J. Ricardo
United States Magistrate Judge

Re: Joshua Gumora v. Covington, et al.
24 Civ. 06550 (JAV) (HJR)

Your Honor:

I am a Senior Counsel in the office of Muriel Goode-Trufant, Corporation Counsel of the City of New York and the attorney representing defendants Acosta, Black, Blow, Bolanos, Cesar, Chester, Covington, Daniels, Gustave, Harris, Hilton, Jean-Baptiste, Manning, McMillan, Melville, Saintu and Susankar ("defendants") in the above-referenced matter.¹ Defendants write to respectfully request that defendants' responses to court-ordered discovery requests pursuant to Local Civil Rule 33.2 be held in abeyance until a decision has been rendered with respect to defendants' motion to dismiss the operative complaint.

By way of relevant background, plaintiff brings this action, pursuant to 42 U.S.C. § 1983, alleging, *inter alia*, civil rights violations on or about May 7, 2024 to present. Plaintiff names RNDC Correction Officer ("CO") Covington; RNDC CO Jean-Baptiste; RNDC Deputy Warden Harris; RNDC Warden Chester; OBCC Movement Captain Blow; OBCC 7 Lower Unit Captain Gustave; OBCC 7 Lower Unit Captain Hilton; OBCC 7 Lower Unit Captain Acosta; OBCC 3 South Unit Captain Susanka; OBCC Intake Captain Ceaser; OBCC Clinic Captain

¹ This case has been assigned to Assistant Corporation Counsel Shreya Krishnamurthy, who is awaiting admission to the New York Bar. Ms. Krishnamurthy is handling this matter under my supervision and may be reached at (212) 356-2671 or shrekris@law.nyc.gov.

Bolanos; OBCC Intake CO Daniels; RNDC Mod 4 Lower Unit Officer Melville; RNDC Deputy Warden Black; RNDC Fire Safety Unit CO McMillan; Commissioner, New York City Department of Correction (“DOC”); OBCC Deputy Warden Manning; EMTC Warden Doe; and CO Tragueno (“Defendants”) as defendants in this action. See ECF No. 1. On November 8, 2023, the Court ordered, *inter alia*, that defendants serve responses to court-ordered discovery requests pursuant to Local Civil Rule 33.2 within 120 days of service of the Complaint. See ECF No. 13. By letter dated January 3, 2025, plaintiff added new defendants and claims. See ECF No. 22. On January 22, 2025, defendants submitted a jointly agreed upon proposed briefing schedule for defendants’ anticipated motion to dismiss. See ECF No. 26. On January 23, 2025, the Court endorsed the proposed briefing schedule and set the deadline for defendants’ to serve and file their motion to dismiss to March 10, 2025, plaintiff to serve and file his opposition to April 9, 2025, and defendants’ to serve and file their reply to April 30, 2025. See ECF No. 27. By letter dated January 30, 2025, plaintiff identified defendant “Warden Doe EMTC” as Solomon Chester of RNDC. See ECF No. 28. On February 11, 2025, the Court ordered plaintiff to file one amended complaint naming all of the defendants he seeks to sue in this lawsuit and setting forth all of his claims by March 12, 2025. See ECF No. 32. Additionally, the Court adjourned defendants’ deadline to serve and file their motion to dismiss the operative complaint to March 26, 2025, plaintiff’s deadline to serve file an opposition, if any, to April 23, 2025, and defendants’ deadline to serve and file their reply to May 14, 2025. See id.

In light of the Court’s February 11, 2025 Order, defendants respectfully request that defendants’ responses to court-ordered discovery requests pursuant to Local Civil Rule 33.2 be held in abeyance until a decision has been rendered with respect to defendants’ motion to dismiss the operative complaint.

Thank you for your consideration herein.

Respectfully submitted,

/s/ Inna Shapovalova

Inna Shapovalova

Senior Counsel

Special Federal Litigation Division

cc: **VIA FIRST-CLASS MAIL**

Joshua Gumora

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